

Senate Bill 378

By: Senator Wiles of the 37th, Hill of the 32nd, Rogers of the 21st and Stoner of the 6th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 42-1-13 of the Official Code of Georgia Annotated, relating to registered sex offenders residing within areas where minors congregate, so as to change the distance requirement; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 42-1-13 of the Official Code of Georgia Annotated, relating to registered sex offenders residing within areas where minors congregate, is amended by striking said Code section in its entirety and inserting in lieu thereof the following:

"42-1-13.

(a) As used in this Code section, the term:

(1) 'Area where minors congregate' shall include all public and private parks and recreation facilities, playgrounds, skating rinks, neighborhood centers, gymnasiums, and similar facilities providing programs or services directed towards persons under 18 years of age.

(2) 'Child care facility' shall mean all public and private pre-kindergarten facilities, day-care centers, and preschool facilities.

(3) 'School' shall mean all public and private kindergarten, elementary, and secondary schools.

(b) No individual required to register under Code Section 42-1-12 shall reside within ~~1,000~~ 2,500 feet of any child care facility, school, or area where minors congregate. Such distance shall be determined by measuring from the outer boundary of the property on which the individual resides to the outer boundary of the property of the child care facility, school, or area where minors congregate at their closest points.

1 (c) Any person who knowingly fails to comply with the requirements of this Code section
2 shall be guilty of a felony and shall be punished by imprisonment for not less than one nor
3 more than three years.

4 (d) Nothing in this Code section shall create, either directly or indirectly, any civil cause
5 of action against or result in criminal prosecution of any person, firm, corporation,
6 partnership, trust, or association other than an individual required to be registered under
7 Code Section 42-1-12."

8 **SECTION 2.**

9 All laws and parts of laws in conflict with this Act are repealed.